

Amendment and Response

Applicant: Robert Davidson

Serial No.: 09/760,242

Filed: January 12, 2001

Docket No.: 10002343-1

Title: PERSONAL MOVIE STORAGE MODULE

REMARKS

The following remarks are made in response to the Non-Final Office Action mailed May 5, 2004. In that Office Action, the Examiner rejected claims 1 and 4 under 35 U.S.C. §103(a) as being unpatentable over Cantone, U.S. Patent No. 5,734,781 ("Cantone") in view of Jamie Beckett's article entitled "Making Room for Digital Data" ("Beckett"). Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett as applied to claim 1 above, and further in view of Allen, U.S. Patent No. 5,909,638 ("Allen"). Claims 5 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett as applied to claim 1 above, and further in view of Chung, U.S. Patent No. 6,628,963 ("Chung"). Claims 6, 7, 9, 10, and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett as applied to claim 1 above, and further in view of Yamagata et al., U.S. Patent No. 4,908,793 ("Yamagata"). Claims 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, and further in view of Yamagata as applied to claim 9 above, and further in view of Gibson et al., U.S. Patent No. 5,557,596 ("Gibson"). Claims 16 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, and further in view of Yamagata, and further in view of Allen. Finally, claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, and further in view of Yamagata, and further in view of Allen, and further in view of Chung.

With this Response, claims 19 and 20 have been added. Claims 1-20 are pending in the application and are presented for reconsideration and allowance.

35 U.S.C. §103 Rejections

On pages 2 and 3 of the Office Action, the Examiner rejected claims 1 and 4 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett. The Examiner indicated that in considering independent claim 1, Cantone discloses a system and method of storing electronically readable movie data into a video storage module and references VCR videocassette 10 (column 2, lines 55-60). The Examiner also indicated that Cantone discloses recalling selectively the video data from the storage module in a playback device, and references a conventional VCR and a television set (for viewing by a user) (column 2, lines 62-65). The Examiner further indicates that Cantone fails to specifically disclose the storage module including an atomic resolution storage memory. The Examiner indicates that

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Beckett discloses an information storage device consisting of an atomic resolution storage component, citing page 1, paragraphs 5 and 6.

Applicant respectfully disagrees with the Examiner's summation as to the cited art and submits that independent claim 1 is not obvious in the view of the combination of Cantone and Beckett. Independent claim 1 recites a method of portably handling a movie that comprises storing an electronically readable movie into a portable movie storage module including an atomic resolution storage memory component and connecting the portable storage module to a portable playback device. Claim 1 further recites recalling selectively the movie from the memory component of the portable storage module into a portable movie playback device and displaying the movie on the portable movie playback device.

Neither Cantone nor Beckett teaches, suggests, or discloses a method of portably handling a movie that includes storing an electronically readable movie in a portable movie storage module, connecting the portable storage module to a portable movie playback device, recalling selectively a movie into a portable movie playback device for viewing by a user, and displaying the movie on the portable movie playback device, as claimed in independent claim 1. Rather, Cantone discloses a conventional VCR and television for playback of a movie digitally stored on a VCR-sized tape.

The conventional VCR machine capable of reading a VCR-sized cassette of Cantone does not teach, disclose, or suggest a method of portably handling a movie including connecting the portable storage module to the portable movie playback device. In addition, Cantone does not teach, disclose, or suggest displaying the movie on the portable movie playback device. Rather, Cantone discloses inserting a VCR-sized tape into a VCR. Inserting a tape into a VCR does not disclose, teach, or suggest connecting a portable storage module to a portable movie playback device. Likewise, Cantone discloses displaying the movie on a third component, a television, rather than displaying the movie on the portable movie playback device (i.e., the VCR of Cantone). A VCR alone is incapable of displaying a movie, as claimed. An additional element, a television, is required by Cantone for display purposes.

It is Applicant's belief that independent claim 1, and dependent claim 4 depending from independent claim 1, are patentably distinguishable over the cited art of record.

On pages 4 and 5 of the Office Action, the Examiner rejected claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, as applied to claim 1

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above, and further in view of Allen. Claims 2 and 3 are dependent claims which depend from independent claim 1. As previously discussed, it is believed that independent claim 1 is patentably distinguishable over the cited art. Therefore, it is also believed that dependent claims 2 and 3 are also patentable over the cited art.

On pages 5 and 6 of the Office Action, the Examiner rejected claims 5 and 8 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, as applied to claim 1 above, and further in view of Chung. Claims 5 and 8 are dependent claims which depend from independent claim 1. As previously discussed, it is believed that independent claim 1 is patentably distinguishable over the cited art of record. Therefore, it is also believed that dependent claims 5 and 8 are patentably distinguishable over the cited art of record.

On pages 7-11 of the Office Action, the Examiner rejected claims 6, 7, 9, 10, and 15 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, as applied to claim 1 above, and further in view of Yamagata. Claims 6 and 7 are dependent claims which depend from independent claim 1. As previously discussed, it is believed that independent claim 1 is patentably distinguishable over the cited art of record. Therefore, it is also believed that dependent claims 6 and 7 are patentably distinguishable over the cited art of record.

Claim 9 is an independent claim from which claims 10 and 15 depend. In rejecting independent claim 9, the Examiner relies on Cantone as disclosure of a storage device capable of storing at least one movie. However, Cantone fails to disclose a portable storage device removably connectable to a playback device capable of displaying a movie. Rather, Cantone requires two separate elements, a VCR and a television, necessary for playback and display. As such, the storage device of claim 9 is distinct from the combination of Cantone and Beckett. Therefore, it is believed that independent claim 9 is patentably distinguishable over the cited art, including the combination of Cantone, Beckett, and Yamagata.

Claims 10 and 15 are dependent claims which depend from independent claim 9. As previously discussed, it is believed that independent claim 9 is patentably distinguishable over the cited art of record. Therefore, it is also believed that dependent claims 10 and 15 are patentably distinguishable over the cited art of record.

On pages 11-13 of the Office Action, the Examiner rejected claims 11-14 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, and further in view of Yamagata, as applied to claim 9, and further in view of Gibson. Claims 11-14 are dependent

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claims which depend from independent claim 9. As previously discussed, it is believed that independent claim 9 is patentably distinguishable over the cited art of record. Therefore, it is also believed that dependent claims 11-14 are patentably distinguishable over the cited art of record.

On pages 13-15 of the Office Action, the Examiner rejected claims 16 and 18 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, and further in view of Yamagata, and further in view of Allen. Claim 16 is an independent claim. In the rejection of claim 16, the Examiner relied upon Cantone as disclosing the claimed movie playback device. The Examiner indicated that a VCR and television of Cantone equate to the movie playback device of claim 16. However, claim 16 includes a single element, a portable movie playback device removably connectable to the storage memory device for displaying a movie. Conversely, Cantone requires two separate elements, a VCR and a television, for playback and display, respectively. Therefore, it is believed that independent claim 16 and dependent claim 18 are patentably distinguishable over the cited art of record.

On page 16 of the Office Action, the Examiner rejected claim 17 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Beckett, and further in view of Yamagata, and further in view of Allen, and further in view of Chung. Claim 17 is a dependent claim of independent claim 16. As previously discussed, it is believed that independent claim 16 is patentably distinguishable over the cited art of record. Therefore, it is also believed that dependent claim 17 is also patentably distinguishable over the cited art of record.

Newly Presented Claims

With this Amendment, claims 19 and 20 have been added, which depend from independent claim 1. It is believed that claims 19 and 20 are patentably distinguishable over the cited art of record.

CONCLUSION

Applicant believes independent claims 1, 9, and 16, and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to either Philip Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332 or Michael R.

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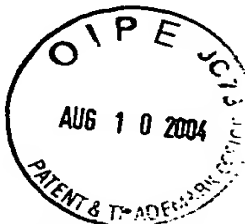
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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5th day of August, 2004.

By Michael R. Binzak
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